

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**
One Bowling Green
New York, NY 10004-1408

IN RE: Howard Scott Linker

CASE NO.: 13-13216-shl

Social Security/Taxpayer ID/Employer ID/Other Nos.:
xxx-xx-1537

CHAPTER: 7

**NOTICE OF HEARING, NOTICE OF MOTION AND MOTION FOR
(1) DISMISSAL OF CHAPTER 7 CASE, AND (2) EXTENSION OF TIME TO OBJECT
TO DISCHARGE OF THE DEBTOR(S)**

PLEASE TAKE NOTICE THAT:

- 1.** The United States trustee has scheduled a hearing pursuant to 11 U.S.C. § 707(a) to consider dismissal of the chapter 7 petition filed by the debtor(s), and extension of the time to object to the debtor(s) discharge. The hearing will be conducted by the Honorable James L. Garrity, Jr. , United States Bankruptcy Judge, on July 14, 2015 at 10:00 AM at the United States Bankruptcy Court, One Bowling Green, New York, NY 10004.
- 2.** The original application has been filed on the court's Electronic Case File System (ECF) at www.nysb.uscourts.gov. The system can be accessed via the Internet using a PACER password or at any of the three divisions of the Bankruptcy Court during posted business hours.
- 3.** Responsive papers shall be filed with the court on the Electronic Case File System (ECF) or by submission on a diskette or compact disk (CD) in PDF format.
- 4.** If you are unable to comply with the requirements of #3 above, you must submit your document on a diskette or CD in Word, WordPerfect, or DOS text (ASCII). If you are unable to file electronically or submit a copy of your filing on diskette or CD, you may file conventionally provided that you submit with your filing an affidavit of your inability to comply.
- 5.** Responsive papers shall be served on the United States Trustee at 201 Varick Street, Suite 1006, New York, NY 10014, no later than seven (7) days prior to the hearing date set forth above. A courtesy copy shall be filed with Chambers seven (7) days prior to the hearing date. Any responsive papers shall be in conformity with the Federal Rules of Bankruptcy Procedure and indicate the entity submitting the response, the nature of the response, and the basis of the response.
- 6.** The hearing may be adjourned from time to time by announcement made in open court without further written notice. If the debtor(s) do(es) not appear at the hearing on this motion, it may be granted on default.

Dated: June 12, 2015

Vito Genna
Clerk of the Court

UPON the affirmation of the chapter 7 trustee on file with the Court, the United States trustee hereby moves for an order dismissing the above-captioned chapter 7 case, and for an extension of time to object to the discharge of the debtor(s), for the failure of the debtor(s) to appear on March 5, 2015, April 15, 2015 and May 13, 2015 at the meeting of creditors mandated by 11 U.S.C. § 341(a). In the absence of the examination of the debtor(s), the trustee is unable to effectively administer the case and determine whether to object to the discharge of the debtor(s).

Dated: May 21, 2015

William K. Harrington
United States Trustee